



**FARMERS
BRANCH**

ORDINANCE NUMBER 2255

5-233

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT FOR A COMPRESSED NATURAL GAS REFUELING SYSTEM AT 11925 JOSEY LANE AND WITHIN THE LOCAL RETAIL-2 (LR-2) ZONING DISTRICT, PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to amendments to the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said specific use permit be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit for a compressed natural gas (CNG) refueling system on the 0.49 acre tract located at 11925 Josey Lane and within the Local Retail-2 (LR-2) zoning district.

SECTION 2. That said compressed natural gas refueling system shall be constructed, maintained and operated in the manner shown on the approved site plan attached as Exhibit "A".

SECTION 3. That the compressed natural gas refueling system shall be operated in conformance with the following conditions:

1. A six (6) foot tall screening hedge, comprised of red tip photinias, be installed along the south side of the CNG equipment enclosure within the existing landscaped area.
2. The dumpster enclosure gate be relocated from the south side of the enclosure to the north side of the enclosure facing Villa Creek Drive to allow access to the dumpster.
3. Prior to the issuance of any building permits or before work of any kind commences relative to the compressed natural gas facility, the Texas Natural Resource Conservation Commission (TNRCC) shall approve or state that they have no objection to the location and design of the compressed natural gas equipment enclosure and dispensing facility. The owner, in cooperation with the consultant responsible for the design and operation of the vapor extraction operation on site, shall prepare a plan for the installation of the compressed natural gas facility that will not interfere with the vapor extraction system or operation in any manner, which plan must be reviewed and approved by City Staff.

SECTION 4. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas as herein amended by the granting of a Specific Use Permit for a compressed natural gas refueling system at 11925 Josey Lane.

SECTION 5. Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.


SECTION 6. If any section, paragraph, subdivision, clause, phrase, provision, or word of this ordinance shall be judged invalid or unconstitutional such judgement shall not affect the remainder of this ordinance.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, and as the law in such case provides.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this 18th
City of March, 1996

APPROVED:



Mayor

APPROVED AS TO FORM:

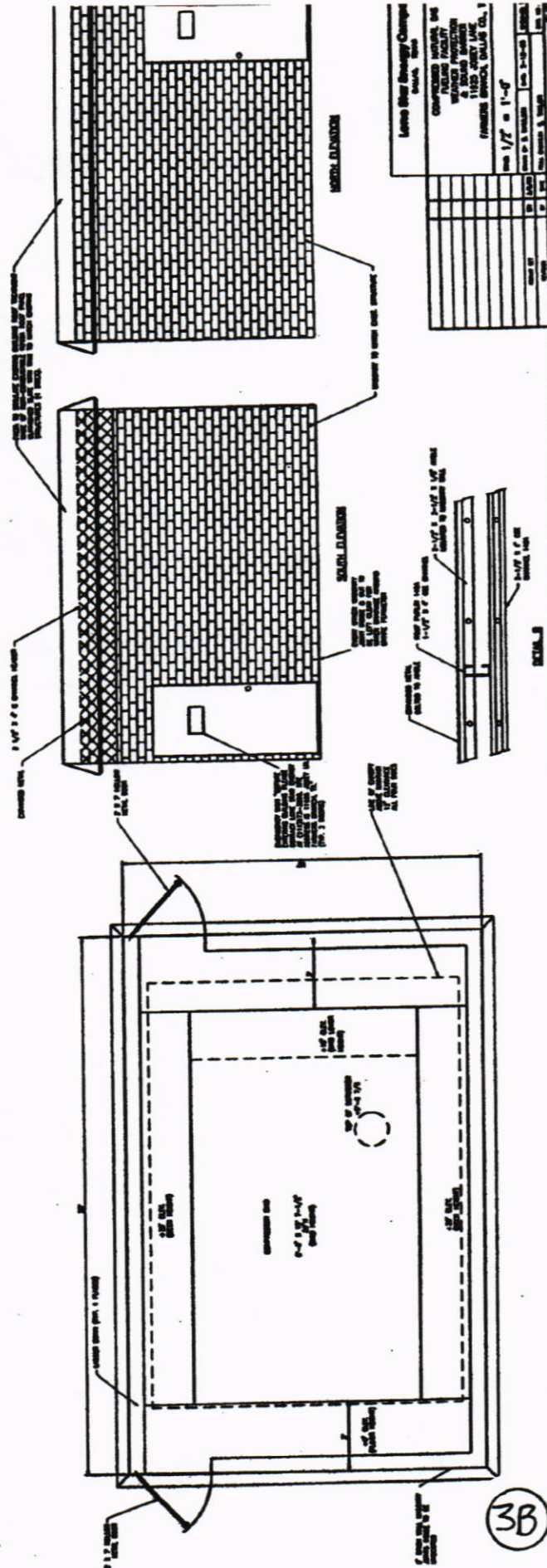
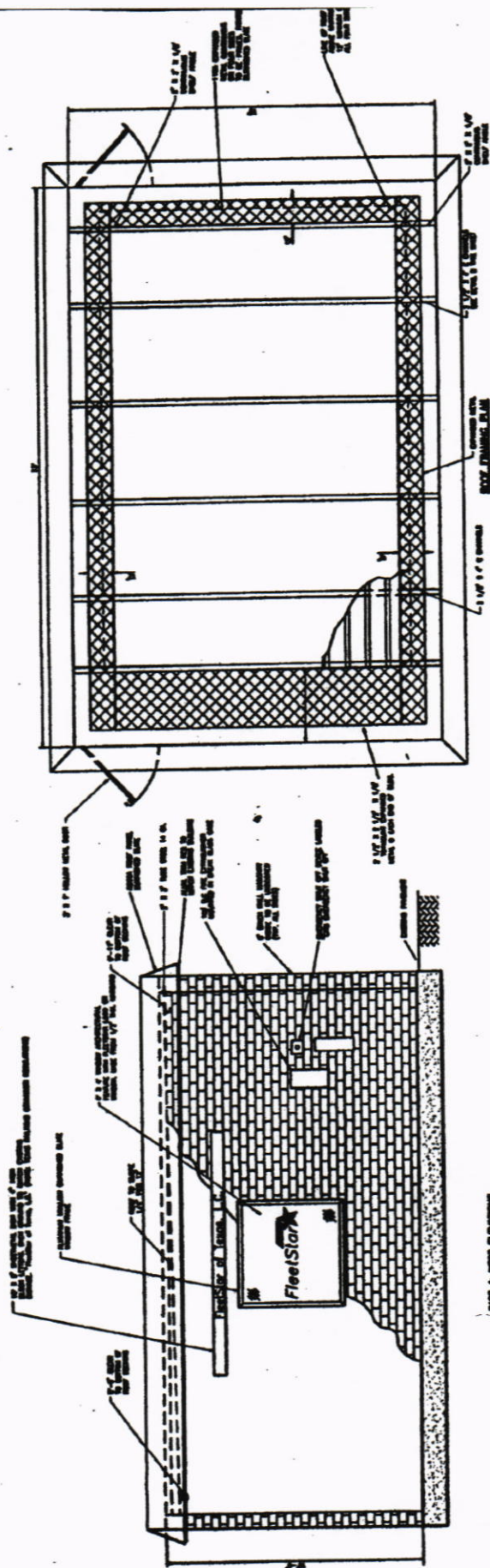


City Attorney

ATTEST:



City Secretary

[illegible]



